

**DISSENTING STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: Infinity Broadcasting Operations Inc., licensee of WKRK-FM, Detroit Michigan, Notice of Apparent Liability for Forfeiture

I dissent from the Commission's decision today to provide a slap on the wrist rather than take serious action to address the indecency on our airwaves. In this decision, the Commission proposes a fine of \$27,500 against this multi-billion dollar media conglomerate.

I am troubled by several aspects of this decision that demonstrate the Commission is not yet taking a strong stand against indecency on the airwaves. First, the Commission fined this very same station last year for airing some of the most vulgar and disgusting material I have had the misfortune to examine since I joined the Commission. In both that decision and this Order, the Commission warned Infinity that additional violations may well lead to the initiation of a license revocation proceeding. Some may argue that the program at issue today pre-dated the broadcast addressed last year, which only serves to demonstrate the need to consider complaints in a more timely manner. Moreover, the statute does not require notice to begin a license revocation hearing.

Second, the Commission recently reaffirmed that its indecency enforcement will address not only the station that is the subject of a complaint, but also any other station that aired the same programming. Yet here, the Commission proposes a fine against only WKRK-FM in Detroit notwithstanding that this program airs on numerous stations across the country.

The time has come for the Commission to send a message that it is serious about enforcing its indecency rules.